

in the Constitution to grant them such powers ; but, if, on the other hand, they were instructed to investigate and ascertain where the boundary line between Ontario and the territories of the Dominion really was, they had certainly fallen into error. Ontario had just as good a claim to the plains of the Saskatchewan, as she had to at least a great part of the territory awarded by the arbitrators. They had two very important points to ascertain, and on these two points the whole question hinged. The first was as to the western boundary of the old Province of Quebec, previous to 1783 ; and the next, to say where the southern boundary of the territories of the Merchant Adventurers of England trading to Hudson's Bay was. The Dominion Government claimed that the Quebec Act, that was, the Imperial Act of 1774 (14 George III), established the western boundary of the old Province of Quebec. By that Act, the boundary was described as running northward from the point of junction of the Ohio and Mississippi, and the Dominion Government held that the word "northward," as there used, meant due north. This was also the view which the Judges of the Quebec Courts took in 1818. But Ontario objected to the word "northward" as being indefinite, and claimed that the proper construction to put on that part of the Act was that "northward" meant north-westward along the Mississippi ; and in the Commission of 1774, to Sir Guy Carleton, then Governor of the Province, the western boundary was described as running northward along the east bank of the Mississippi, to the territories of the Merchant Adventurers of England, trading to Hudson Bay. This clearly brought the territories of the Hudson Bay Company to the Mississippi, or, in other words, to about the 47th parallel of north latitude. But, if the Hudson Bay Company's territories came so far south, Ontario would be cut off from the North-West altogether. The writers on the part of Ontario derided the decision of the Quebec Judges, as to the meaning to be attached to the word "northward" in the Act of 1774 ; but, in the Acts, treaties and commissions of those days, northward and westward were sometimes used to designate true north and due

west. In the treaty respecting the Oregon boundary, the expression "westward" along the 49th parallel was used, instead of the words "due west," and in another treaty the words "due western course" were used to designate a due west line. Terms of the same kind occurred in the recent award of the arbitrators, where they used the words, "a true meridional line drawn northerly," so that there did not seem to be anything very unreasonable in construing the word "northward," in the Act of 1774, as meaning due north, more especially in view of other facts bearing on the matter. The writers for Ontario had made good the fact that the Canada of the French extended to the Rocky Mountains, at least ; but they had failed to show that the whole of French Canada was included in the old Province of Quebec as constituted by the Act of 1774 ; and it was reasonable to believe that the western sections were considered rather as dependencies than as parts of the Province. They always referred to a proclamation, issued by General Clark, in 1791, when acting as Governor during Lord Dorchester's absence, in which Upper Canada was described as embracing the whole of the western regions to the utmost extent of the country known as Canada ; but they ignored Governor-General Lord Dorchester's proclamation of a few weeks' previous date, in which the Order in Council, based on the Act of 1791, was cited, and in which Upper Canada was described as extending only to the western limit of the former Province of Quebec. In considering the subject of the western boundaries of Ontario, the Act of 1803 (43 George III) should always be kept in view. It was passed to provide for the maintenance of order in a district which, in the preamble, was described as being in no Province whatever. The disturbed district, for which this Act was specially passed, extended from Fort William and Lake Superior to Lake Winnipeg and Red River. If, therefore, this district was beyond the territories and jurisdiction of Upper Canada in 1803, how could it be within the Province of Ontario now ? The Judges of Quebec, in giving their decision in the De Reinhard case, were, in a great measure, guided by the Act of 1803. The award, he believed, had to be confirmed by Act of